

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings, which includes Figures 1-10, replace the original sheets including Figures 1-10.

In each of the replacement sheets, the Figures are presented in a cleaner, sharper form than those originally filed. Distortions and speckling of the original Figures, for example, are removed.

No changes other than to improve the image quality of the Figures are introduced with the replacement drawing sheets.

Attachment: Replacement Sheets

REMARKS

The application has been amended and is believed to be in condition for allowance.

As an initial matter, the undersigned appreciates with thanks the Examiner's indication that claims 20-23 would be allowed if amended into independent form and to overcome the rejections for indefiniteness.

Amendments to the Disclosure

Claims 15, 17, 18, 20, 21, and 23 are amended into independent form, each including all of the subject matter of the parent claim 14.

Claims 14, 25 and 26 are canceled, without prejudice.

In addition, the claims are generally amended to address antecedent basis issues and formal issues in response to the Official Action's rejections under 35 USC 112, second paragraph. In particular, the claims are amended to recite the features of the invention in a more structural manner, and further place the claims into a form in conformance with U.S. practice and preferences.

The amendments to the claims find support in the originally filed claims, as well as the specification and the drawing figures as originally filed, and do not introduce new matter.

Formal Matters - Objections to the Drawings

The Official Action objected to the drawing figures, stating that a butterfly valve, drainage channels, shock absorbers, containers for rain water, and three piece forgings forming triangles do not appear to be shown in any of the Figures as filed.

In response, it is firstly noted that the drawings are amended with replacement drawing sheets wherein the image quality is significantly improved. Distortions and speckling of the original Figures, for example, have been removed so that details of the invention may be readily perceived. No changes other than to improve the image quality of the Figures are introduced with the replacement drawing sheets.

In addition, the claims have been amended, as indicated above. It is respectfully submitted that each of the features recited in the amended claims are shown in the drawing figures as originally filed.

For example, a rotatable structure is shown at least on Figure 5 at element 708, channels are disclosed at least in the parallel section bars 701 in both of Figures 1 and 7, shock absorbers are shown at least at element 307 in both of Figures 7 and 8, and three pieces of die-cast aluminium forming together a triangle and an arc of a circle of 90° is shown as element 306 of Figure 8.

The Official Action further objected to the drawings, stating that the drawings appear to be a copy of color drawings and are unclear with shades of gray obscuring essential components.

In response, it is respectfully submitted that the replacement drawings, as indicated above, have significantly improved image quality such to overcome the Official Action's objections.

Withdrawal of the objection to the drawings is respectfully solicited.

Formal Matters - Section 112, second paragraph

The Official Action rejected claims 14-26 under 35 USC 112, second paragraph, stating that the claims are generally narrative and indefinite. In particular, the Official Action objected to the term EPDM in claim 7, stating that the term is not defined by the claim or the specification.

In response, the claims have been amended, as indicated above, in a manner believed to overcome the rejection for indefiniteness.

In particular to the recitation of EPDM, it is respectfully submitted that one of skill in the art understands that EPDM is ethylene propylene diene Monomer rubber (e.g., see <http://en.wikipedia.org/wiki/EPDM>).

Accordingly, the claims are believed to be definite and withdrawal of the rejection under 35 USC 112, second paragraph is respectfully requested.

Substantive Issues - Section 103

The Official Action rejected claims 14-19 and 24-26 under 35 USC 103(a) as being unpatentable over Kida et al. (US 4,751,800; "KIDA") in view of Lee (US 6,042,094; "LEE").

In response, it is firstly noted that the claims have been amended, as indicated above. It is respectfully submitted that claims 15-18 have been placed into allowable condition.

For example, it is respectfully submitted that none of the applied references, individually or in combination, teach or suggest rotatable structurals (708) configured to open and close apertures (11) in the telescopic coverings in response to strong gusts of wind so that said strong gusts escape from an inner space of the structure. The latter recitation finds support at least at page 9, lines 15-21 of the specification originally filed.

On the contrary, KIDA teaches wires or chains which in turn are connected to a pneumatically or electrically powered rotary driving device (see KIDA, column 4 lines 34-36). Roof units 17 are driven intentionally by operators through the activation of a pneumatic or electric motor to cause a relative sliding between an inner member 34b and an outer member 34a (see Kida, column 5 lines 32-68). Once open, the roof of KIDA's

athletic stadium remains in its open state independently of possible wind gusts, up to the time the operator decides to "close it" again.

There is no interaction or causation taught or suggested that wind gusts cause the aforementioned movement, as recited in amended claim 15.

It is also respectfully submitted that KIDA fails to teach or suggest rotation means inserted between a lateral edge of at least one of telescopic coverings and lateral structurals configured such that a strong wind will cause a transversal rolling movement of the structure such that the telescopic coverings yield in response to gusts of the wind.

On the contrary, no corresponding counterpart is found in either of KIDA or LEE.

As to claim 17, it is respectfully submitted that neither of the applied references, individually or in combination, teach or suggest first longitudinal channels inside the support beams upwardly open and configured for downflow of water from the telescopic coverings to the uprights, and second longitudinal channels formed inside the uprights, leading to plates located at the base of each upright where some (307) of said vibration preventing means are also located.

The Official Action offers element 34a in KIDA Figure 8 as teaching downward channels capable of passing water through an upright at element 10. However, Figure 8 illustrates a cross

section of Figure 7 at AA, and 34a is a hollow outer member configured to receive an inner member 34b guided by rollers 34c (column 3, lines 1-2; column 5, lines 35-38; Figures 7-8). Figure 7 does not disclose any fluid connection between the hollow outer member 34a (at the area indicated by reference number 34c) and the support beam at 10.

Further, although the hollow outer member 34a may be capable of conveying water, one of skill would have had no reasonable motivation to direct rain water through a mechanical apparatus as taught by 34a, 34b, and 34c for extending and retracting a retractable beam 34. A flow of rain water through 34a over the rollers 34c would certainly damage the mechanism required to extend and retract the beam. Hence, the hollow area 34a strongly teaches away from a rain water channel.

Moreover, nothing in Figure 8 or any other part of KIDA or LEE teaches both first and second longitudinal channels, the second longitudinal channels in an upright leading to plates at the base of the upright. As indicated above, there is no teaching in Figure 8 or elsewhere of fluid channels in support beam 10.

As to claim 18, it is respectfully submitted that none of the applied references, individually or in combination, teach or suggest stationary arcuate beams including channels for receiving pressurised water to be sprayed on the telescopic coverings for cleaning.

As presented above as to claim 17, nothing in Figures 7 or 8 teach a channel configured for the conveyance of water, and in particular to claim 17, there is nothing teaching or suggesting the conveyance of pressurized water. The hollow portions indicated by 34a are utterly unsuitable for receiving pressurized water as the mechanism disclosed insides 34a is dependent upon moving parts to extend and receive a beam. A flow of pressurized water through this mechanism would damage and destroy this mechanism. Therefore, one of skill would find no teaching in Figures 7 and 8 of channels as recited by claim 17.

Based at least on the reasons set forth above, it is respectfully submitted that claims 15, 17, and 18 as amended in independent form are in allowable condition.

It is also respectfully submitted that claims 20, 21, and 23 as amended into independent form are patentable, based at least on the Official Action's indication of allowable subject matter.

It is further respectfully submitted that all claims depending from claims 15, 17, 18, 20, 21, and 23 are patentable at least for depending from a patentable parent claim.

Reconsideration and allowance of the claims are respectfully requested.

From the foregoing, it will be apparent that Applicants have fully responded to the September 9, 2009 Official Action and that the claims as presented are patentable. In view of this,

Applicants respectfully request reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, the Examiner is invited to telephone the attorney for Applicants at the number provided below if the Examiner is of the opinion that further discussion of this case would be helpful in advancing prosecution.

The fee of \$330.00 for the extra independent claims added is being paid online simultaneously herewith by credit card.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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JGM/jr

APPENDIX:

The Appendix includes the following item(s):

- ☒ - Replacement Sheets for Figure 1-10 of the drawings